

cc: J. Andrew Smyser

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

J. ANDREW SMYSER
MAGISTRATE JUDGE

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February 7, 2003


Shawn P. Hennigan, M.D.
231 Northern Boulevard
Clarks Summit, PA 18411

FILED
HARRISBURG, PA

Re: Hue v. Updike, Civil Action No. 1:01-CV-1064


FEB 07 2003

Dear Dr. Hennigan:

MARY D'ANDREA, CLERK
Per  Deputy Clerk

I understand from Mr. Rubendall that you are willing to serve on a volunteer basis as a court-appointed Special Master and to examine the medical records in this case and to provide a report to the court. Please review the complaint (copy attached) filed in this case and Mr. Hue's medical records (which you already received from Mr. Rubendall). Please inform the court of your opinion(s), based on the evidence available: 1) whether Mr. Hue had or has a serious medical need; and 2) whether the defendants, James Updike, Joseph Mataloni, Edward O'Brian and Dale Hazlak, or any one or more of them, were deliberately indifferent to any serious medical need of Mr. Hue. Your assistance in this process will be very much appreciated. Your report to the court will remain confidential and will be used only to assist the court in deciding whether to appoint counsel to represent Mr. Hue in this case. Thank you on behalf of the parties to this dispute and on behalf of the United States District Court for the Middle District of Pennsylvania.

Sincerely,


J. Andrew Smyser
Magistrate Judge

cc: Charles W. Rubendall, II, Esquire
Phan Hue
Alan S. Gold, Esquire
Marsha M. Davis, Esquire